

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

SHANELL FARRIS,

Plaintiff,

v

Case No: 00-cv-60298

Hon. Marianne O. Battani

**CHARTER COUNTY OF WAYNE,
LEONARD DIXON, STANLEY DANIEL
and MARY JARRETT JACKSON,**
Jointly and Severally,

Defendants.

FILED
2002 JUN -5 P 12
CLERK
DISTRICT COURT
EAST DIST. MICH
DETROIT

AKHTAR, SUCHER & EBEL
BY: JAMIL AKHTAR (P38597)
Attorney for Plaintiff
91 East Maple Road
Troy, Michigan 48083
248.528.0863

WAYNE COUNTY CORPORATION COUNSEL
BY: CHERYL YAPO (P55682)
Attorney for Defendants
600 Randolph, Second Floor
Detroit, Michigan 48226
313.224.8719

**PLAINTIFF'S MOTION & BRIEF
TO SET ASIDE SETTLEMENT AGREEMENT**

NOW COMES Plaintiff, **SHANELL FARRIS**, by and through her attorneys, **AKHTAR, SUCHER & EBEL**, and, pursuant to Local Rule 7.1, brings this Motion to Set Aside the Settlement Agreement. For her Motion and Brief, Plaintiff states as follows:

1. On April 8, 2002, the parties appeared before this Honorable Court for a Settlement Conference and, during said Conference, a settlement between the parties was reached and placed on the record. (Exhibit 1, Transcript of 4/8/02 Hearing)

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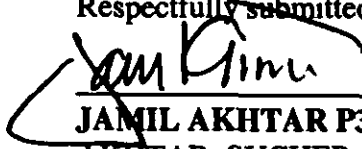
2. On April 29, 2002, approximately three weeks after the settlement was placed on the record, the Defendants provided Plaintiff's counsel with a copy of a proposed Settlement Agreement. **(Exhibit 2, Proposed Settlement Agreement)**
3. The proposed Settlement Agreement was not acceptable to Plaintiff's counsel, Plaintiff's counsel struck the objectionable provisions and requested Plaintiff to execute the redacted Settlement Agreement. **(Exhibit 3, Redacted Settlement Agreement)**
4. On or about May 14, 2002, Plaintiff advised her counsel that she would not agree to the Settlement Agreement placed on the record and that she wanted to be re-employed by Defendant, Wayne County, as she loved working with children and was able to continue to work with children in her job with Wayne County.
5. Plaintiff's counsel advised Plaintiff as to the state of the law, relative to the revocation of a settlement agreement placed on the record.
6. Plaintiff's counsel was advised by Plaintiff that she would not voluntarily sign the Settlement Agreement and that she wanted to be re-employed by Defendant, Wayne County. **(Exhibit 4, Affidavit of Jamil Akhtar)**
7. Pursuant to Local Rule 7.1(a), concurrence in this Motion was sought by Plaintiff's counsel by way of a telephone voicemail message for Defendants' counsel on Tuesday, May 28, 2002 and said call was not returned.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court set aside the Settlement Agreement put on the record in open Court on April 8, 2002.

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Dated: June 3, 2002

Respectfully submitted,


JAMIL AKHTAR P38597
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**WAYNE COUNTY CORPORATION COUNSEL
BY: CHERYL YAPO (P55682)
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313.224.8719**

NOTICE OF HEARING

**TO: CHERYL YAPO
600 RANDOLPH, SECOND FLOOR
DETROIT, MI 48226**

PLEASE TAKE NOTICE that Plaintiff's Motion to Set Aside Settlement Agreement will be brought on to be heard by the Honorable Marianne O. Battani in the United States District Court, at a date and time to be set by this Honorable Court.

Dated: June 3, 2002


JAMIL AKHTAR (P38597)

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EASTERN DISTRICT OF MICHIGAN

SEE CASE FILE FOR
ADDITIONAL
DOCUMENTS OR PAGES
THAT WERE NOT
SCANNED